

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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WASH WORLD INC.,

Plaintiff,

v.

Case No. 19-C-1562

BELANGER INC., et al.,

Defendants.

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**DECISION AND ORDER DENYING PLAINTIFF'S  
MOTION FOR PARTIAL RECONSIDERATION**

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Plaintiff Wash World Inc. brought this action for declaratory relief against Defendant Belanger Inc., seeking a determination that Wash World's car wash systems do not infringe U.S. Patent No. 8,602,041 (the '041 Patent). On July 8, 2021, the Court partially granted Plaintiff's motion for summary judgment. Nearly four months later, Plaintiff filed a motion for partial reconsideration of the Court's July 8, 2021, decision on summary judgment.

A motion for reconsideration serves a very limited purpose in federal civil litigation; it should be used only "to correct manifest errors of law or fact or to present newly discovered evidence." *Rothwell Cotton Co. v. Rosenthal & Co.*, 827 F.2d 246, 251 (7th Cir. 1987) (citation omitted). Plaintiff asserts that the Court should render a decision on Plaintiff's defenses under the doctrines of ensnarement, claim vitiation, and prosecution history estoppel before the January 31, 2022, jury trial. It maintains that rendering a decision on these issues now would streamline the trial and allow the Court to correct the errors of fact and law that it made in finding that Defendants presented genuine issues of material fact precluding summary judgment on these defenses.

Having reviewed the submissions of the parties, no grounds in the record exist to reconsider the Court's decision. The Court found that, in the event the defenses are not otherwise mooted by the jury's verdict, the issues of ensnarement, claim vitiation, and prosecution history estoppel would be best decided after the jury trial on a complete record. Nothing in Plaintiff's motion for reconsideration leads this Court to believe that finding was in error. Accordingly, Plaintiff's motion for partial reconsideration (Dkt. No. 199) is **DENIED**.

**SO ORDERED** at Green Bay, Wisconsin this 3rd day of January, 2022.

s/ William C. Griesbach  
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William C. Griesbach  
United States District Judge